

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF OREGON

3 UNITED STATES OF AMERICA,)

4 Plaintiff,)

5 v.)

6 PIROUZ SEDAGHATY, et al.,)

7 Defendants.)

) No. 05-60008-2-HO

) August 15, 2007

) Eugene, Oregon

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9 TRANSCRIPT OF PROCEEDINGS

10 BEFORE THE HONORABLE THOMAS M. COFFIN

11 UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

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1 (Wednesday, August 15, 2007; 3:37 p.m.)

2 P R O C E E D I N G S

3 THE CLERK: Now is the time set for the matter
4 the *United States of America versus Pirouz Sedaghaty*,
5 Case Number 05-60008, defendant's initial appearance and
6 arraignment.

7 THE COURT: Is that how you pronounce your
8 name, Sed-a-hoggy (phonetic)?

9 THE DEFENDANT: Se-doggehy (phonetic).

10 MR. MATASAR: Se-dog-ity (phonetic).

11 THE COURT: Thank you. You've been indicted by
12 the United States grand jury for the District of Oregon.
13 The government -- excuse me, the indictment alleges in
14 three counts a conspiracy to defraud the United States,
15 filing a false Internal Revenue Service return by a tax
16 exempt organization, and failing to file a report of
17 international transportation of currency.

18 What's the maximum penalty on each count if
19 there is a conviction?

20 MR. CARDANI: Your Honor, this defendant is
21 named in the first two counts.

22 Count 1 is -- the conspiracy count is a
23 five-year felony, up to a quarter million dollar fine, a
24 period of supervised release.

25 Count 2, the tax count, is punishable by up to

1 three years in prison, and a quarter million dollar
2 fine, and supervised release.

3 THE COURT: Do you understand what you are
4 charged with?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: You have to answer out loud.

7 THE DEFENDANT: Yes, sir.

8 THE COURT: All right. I will enter a not
9 guilty plea on your behalf.

10 We'll set this for jury trial. How much
11 time -- will we need to exclude more than the normal
12 time in your opinion or should we set it out in the
13 normal course?

14 MR. MATASAR: Your Honor, I think it's likely
15 that this case will be more time-consuming than normal,
16 so I think it will need to be set out further than the
17 average.

18 I also wanted to indicate -- to ask -- my
19 client is indigent. And I would like to ask to be
20 appointed on this case. Also, I've spoken to Steve Wax,
21 the Federal Defender, again today about the case. He
22 indicated that they may be moving for appointment of
23 co-counsel in this matter. Perhaps he would handle it
24 as well. And what we'd like to do is simply present
25 that to you at the continuation of the detention

1 hearing, which we expect will be Wednesday at 10:30.

2 THE COURT: All right. You are entitled to be
3 represented by counsel at all stages of the proceedings
4 against you. And if you cannot afford to hire an
5 attorney, the court will appoint counsel for you at no
6 cost to yourself. Can you afford to hire an attorney?

7 THE DEFENDANT: Not at this point.

8 THE COURT: You'll be required to fill out a
9 financial affidavit and submit that to the court. And
10 you may submit that under seal, if that's your desire.
11 And please do that in advance of the next hearing that
12 you have. I understand that you've agreed on a hearing
13 date for a week from today; is that correct?

14 MR. CARDANI: (Nodding head.)

15 MR. MATASAR: Yes, Your Honor, at 10:30. It's
16 also my understanding that Mr. Cardani and, actually, I
17 have indicated to your staff that we expect this will go
18 into the afternoon, the detention hearing.

19 THE COURT: All right.

20 MR. CARDANI: Judge, may I be heard before you
21 move on? I don't think we resolved the Speedy Trial Act
22 issue.

23 THE COURT: Well, it was my plan to wait until
24 next Wednesday to set the trial date.

25 MR. CARDANI: Very good.

1 THE COURT: But go ahead, why don't you finish
2 up what you were saying.

3 MR. CARDANI: I was just -- we talked about
4 whether Mr. Matasar is willing to take this outside the
5 Speedy Trial Act by asking the court to deem this a
6 complex case. We just haven't concluded that
7 conversation with the court yet. And if the court wants
8 to defer that until next week, that's fine.

9 MR. MATASAR: I can say, Your Honor, logically
10 it's a complex case. Whether we want to designate it as
11 a complex case, I'm not sure yet. We'll decide by
12 Wednesday of next week.

13 THE COURT: All right. We'll continue this for
14 a release, slash, detention hearing to Wednesday, August
15 22nd at 10:30 in the morning. And we will also set a
16 trial date at that time.

17 MR. MATASAR: Thank you.

18 THE COURT: In the meantime, I'll order the
19 defendant detained pending that hearing.

20 And one further thing before we adjourn here.
21 Do you want your client interviewed by Pretrial
22 Services?

23 MS. BROWN: Your Honor, I've already
24 interviewed him.

25 THE COURT: Okay.

1 MS. BROWN: We interviewed over the phone.

2 THE COURT: Any further follow-up?

3 MS. BROWN: Possibly.

4 MR. MATASAR: Yes. We've been in touch, and
5 we're going to provide some follow-up material. And I
6 think we're in good contact, so I think we'll be fine on
7 that.

8 THE COURT: Thank you.

9 (The proceedings were concluded at 3:43 p.m.)

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CERTIFICATE

I, Deborah Wilhelm, Certified Shorthand Reporter for the State of Oregon, do hereby certify that I was present at and reported in machine shorthand the oral proceedings had in the above-entitled matter. I hereby certify that the foregoing is a true and correct transcript, to the best of my skill and ability, dated this 18th day of July, 2008.



Deborah Wilhelm, RPR
Certified Shorthand Reporter
Certificate No. 00-0363